

MINUTE ITEM

This Calendar Item No 49
was approved as Minute Item
No 49 by the State Lands
Commission by a vote of 3
to 0 at its 4/28/77
meeting.

CALENDAR ITEM

49

4/77
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CONSIDERATION OF SUBSTANTIAL COMPLIANCE
CITY OF STOCKTON

BACKGROUND:

Approximately 50 years ago, a much-straightened channel was dredged along the general course of the San Joaquin River, cutting off many meandering river loops, and creating as a result several intervening islands. One such island, called Buckley Island, was simultaneously built up in elevation with the dredging spoils. Later, a small portion of the cut-off river loop was filled in to provide access to the island, converting the island to a peninsula. Subsequently, the Legislature enacted Chapter 1700, Statutes of 1965, granting in trust certain State-owned tide and submerged lands in the old natural channel of the San Joaquin River, known as Buckley Cove, to the City of Stockton. The granted filled and unfilled lands of the natural channel form a semi-circular bank around Buckley Island (owned by the City) and connecting with the Deep Water Channel.

PURPOSE OF THE
GRANT TO THE
CITY:

Lands were granted to further navigation, commerce, and fisheries in the Statewide interest. The City received the right to develop the lands with the condition that if substantial improvements were not made within 10 years of the effective date of the grant, the lands would revert to the State. Among the uses authorized were conduct of a harbor and the construction, reconstruction, repair, and maintenance of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities. The Statute authorized the City, its agents, and lessees, to improve the lands in combination with the neighboring lands of the City.

OBJECTIVE OF
THIS
INVESTIGATION:

To determine if substantial improvements have been made to the granted lands, as required by the Statute, within 10 years of the effective date.

CONDUCT OF
INVESTIGATION:

In November, 1975, the State Lands Division began a study to verify the improvement of lands as required. Information was secured from various

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City officials and the Wildlife Conservation Board. Contracts with the private lessees were reviewed since a portion of the improvements were performed by them as a condition of their contracts in lieu of rent. The Division staff made an on-site inspection. All materials regarding this investigation are filed with the Division.

ENHANCEMENT OF
THE GRANT:

Investigation determined that the City of Stockton reconstructed a launch ramp, added floats, gangways, anchors, and a portion of the present parking area to provide fishing access. In addition, under its master plan for the Buckley Cove, the City arranged for lessees to improve the grant and related upland areas in support of recreational boating. Slips and berths for power boats and sailing craft were added at north and south cove when the City determined applicants were on the waiting list. Rentals do not discriminate on the basis of local residence or otherwise. There are now facilities for more than 300 boats. Other services include a boat sales shop, repair shop, dry boat storage fueling station, floating market.

A city park including picnic and playground area and restrooms, provisions for traffic circulation and parking provide needed facilities for visitors and their families attracted to the water-based recreation.

City launch ramp improvements totaling \$151,000 and park improvements of \$260,000 were completed in a 10-year period. Lessee improvements in that time are valued in excess of \$389,000 for those on the granted lands and \$520,000 on the upland.

IMPROVEMENTS
BENEFIT
STATEWIDE
PUBLIC

City officials hailed the building of Interstate 5 linking northern and southern California as attracting travellers to Buckley Cove, which is open to the statewide public. Contracts with lessees ensure enforcement of the public trust for commerce, navigation, and fishing. All marine and park attractions are marked by a directional sign. Parking lots are paved, curbed, lighted, and free. Landscaping is well maintained and attractive.

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EXHIBITS: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE CITY OF STOCKTON HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF CHAPTER 1700, STATUTES OF 1965, SECTIONS 2 AND 4.
2. AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE CITY OF STOCKTON, THE SECRETARY OF THE SENATE, AND THE CHIEF CLERK OF THE ASSEMBLY THAT THE COMMISSION HAS MADE AN INVESTIGATION AS REQUIRED BY THE GRANT STATUTE AND FINDS THAT THE CITY OF STOCKTON HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF CHAPTER 1700, STATUTES OF 1965, SECTIONS 2 AND 4.